

# THE NATIONAL REGISTER.

No. 12]

CITY OF WASHINGTON, MARCH 18, 1820.

[Vol. IX.]

Published, every Saturday, by JONATHAN ELLIOT, at five dollars per annum—payable in advance.

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## PUBLIC LANDS.

The following Report made in the House of Representatives by Mr. Anderson (of Kentucky).

The committee on the public lands, to whom was referred the petition of Charles Henry du Pasquier and others, praying on behalf of themselves and other Swiss emigrants, that Congress would authorize them to purchase a tract of the public land, lying on the west side of the Mississippi, and between the 30th and 37th degrees of north latitude, sufficient for the settlement of 3 or 4000 families, on terms more favorable than the general laws would permit, have had the same under consideration, and Report, that the question presented to the consideration of the House involves the expediency of selling the public lands to foreigners on terms more indulgent than those which regulate the sales of native citizens. This committee is very sensible, that the mildness of our government, its wise and wholesome laws, have produced an emigration, which has gone far to increase the collective talents and industry of the country; some of our most distinguished citizens, as well as most industrious and ingenious mechanics are among those who have made this country their own, by adoption. But it is thought that, while we highly appreciate these benefits, we should not change the operation of the general laws of our country to produce the effect. So long as the freedom of our institutions is preserved, and wholesome laws are permitted to have their ordinary effect, the inducements which have heretofore had their influence will still be sufficiently strong to produce the desired emigration. It cannot be conceded that special provisions, excepting foreigners, however meritorious, from the operation of general laws, and giving them advantages which are denied to the citizens, can be founded in good policy. It is peculiarly eminently honorable to our country, that the native of Europe possesses, in the acquisition of the soil here, the same advantages which an American citizen does; to give him more, would produce a distinction not only invidious, but most unjust. When the law is now equally open to both, it would be a perverted use of charity to give to the stranger a facility which we deny to the citizen.

It is probable that, during the present session of Congress, the mode of selling the public lands will be so far altered, as to demand a cash payment of each purchaser. Every reason which could influence Congress to make that change, would forbid this committee from proposing to sell a large quantity on a credit still more distant than the present laws contemplate. If the public interests should be thought to require a system still more rigorous than the one which now prevails, and this too against petitions of a great number of your citizens, and the memorials of the legislatures of several of the southern and western states, it would

indeed be an assumption of high responsibility on the part of this committee to recommend, in obedience to the prayer of the present petitioners, that indulgence to them, which the expected bill will deny to your own citizens.

The establishment of a community of foreigners within our country, secluded by their habits, manners, and language, from an intimate association with the great body of our citizens, cannot be an event so desirable as to justify a departure from the general law. An unrestrained intercourse with the body of the American yeomanry affords to the emigrant the best and probably the only means of acquiring an intimate knowledge of our laws and institutions; a knowledge which is not only necessary to give to him the full enjoyment of his situation, but is necessary to render him a valuable and safe citizen to the commonwealth. It is believed that, if a large settlement was formed, exclusively of foreign families, to most of whom, our language would of course be unknown many years would elapse before that general intercourse would take place, beyond the boundaries of their own community which would be essential to give to them full possession of American principles and character; and it is by no means certain, that time would in such cases ever have the effect of entirely destroying their foreign character. While, then, this committee rejoice in every opportunity of communicating the blessings of their country to their European brothers, they believe that it can be safely done, only when they enjoy them by indiscriminate association.

The petitioners have (many of them) been heretofore engaged in manufactures; and they rely for much of the support which they expect to receive, upon the stock of manufacturing skill and industry which they promise to introduce. They have exhibited before the committee some beautiful and very satisfactory specimens of their ingenuity and skill, particularly in silk and cotton goods. Your committee felt the full force of this appeal, and very frankly state, that, if any petition of a similar character can be acceptable to the House, this deserves to be so. Without referring to the known character of the Swiss peasantry, a settlement in the state of Indiana, of emigrants from Switzerland, gives strong evidence, that a colony established under the auspices of the present petitioners would be characterized by industry and unoffending submission to the laws. They resist the application, however, on the grounds they have stated. The terms of sale held out by the present laws are of the most indulgent kind; and if the public interests should even justify a relaxation from them, it is confidently believed that it should be in favour of American citizens.

In answer to that part of the petition which declares that one of the principal objects is "the domestic manufacture of cotton, wool, flax and silk," the committee will only say, that it may well be considered, how far it would comport with sound policy to give a premium for the introduction of manufacturers, at the moment when, by the almost unanimous declaration of our manufacturers, it is said, they cannot live without farther protection.

The committee therefore recommend to the House the following resolution.

Resolved, That the prayer of the petitioners ought not to be granted.

1st SESSION—16th CONGRESS.  
IN SENATE,

THURSDAY, MARCH 16.

Mr. STOKES laid on the table the following resolution:

Resolved, That the committee on commerce and manufactures be instructed to enquire into the expediency of having buoys placed at the several inlets and on some of the shoals on the coast of North Carolina.

The military appropriation bill from the House of Representatives was read a second time, and, after some conversation between Messrs. Williams of Tennessee and Wilson as to the committee to which it was most proper to refer it—the latter gentleman conceiving that it ought to go to the military committee, and the former arguing that it ought to be referred to the committee on finance—the bill was referred to the committee of finance.

The Senate resumed the consideration of the bill for the relief of John H. Piatt—the motion to recommit the case to the committee of claims, for a detailed report of the facts, offered yesterday by Mr. Lowrie, be still under consideration; which motion was, on motion of Mr. Williams, of Tennessee, so modified as to refer the subject to the committee on the judiciary.

After a good deal of discussion, on the motion for reference, and, incidentally, on the merits of the case, between Messrs. Williams, of Tennessee, Burrill, Trimble, Leake, King, of Alabama, Wilson, Ruggles, Macon, Johnson, of Kentucky, and Van Dyke, the bill was referred to the committee on the judiciary.

The Senate resumed the consideration of the bill to establish an uniform system of bankruptcy throughout the nation.

Mr. SMITH, chairman of the judiciary committee, which prepared the bill, explained the reasons which induced the committee to report the bill—not that the proposition to enact such a law had received the decided approbation of the whole committee, or of himself in particular, but, because it was a subject of great magnitude and importance to society, on the policy of which it was proper for the Senate to have the opportunity of deliberating in a systematic and matured shape. Mr. S. offered a few reasons which inclined him at present to vote against the bill; though he would not say that it might not receive such a form, he should himself assist in giving it such an one, as to obtain his support. However, he thought it incumbent on the friends of the system to come forward and establish the necessity and sustain the expediency of the measure, &c.

Mr. DICKERSON made the motion which he had intimated on Monday, to strike out one or two of the excepted classes; but, subsequently, waived his motion to give way for the motion made by Mr. Eaton.

Mr. OTIS, as one of those friendly to the enactment of a bankrupt system, and in compliance with the invitation of Mr. Smith, rose and entered into a pretty general view of the system proposed, to shew the salutary operation of such a law upon the community, at all times; the peculiar necessity which existed at this time for its enactment, from the immense number of insolvent persons; the constitutional injunction to pass such a law, &c.

Mr. EATON, for the purpose of testing the sense of the Senate on the principle of the bill, and to see whether it was worth while to go into the investi-

gation of the details, moved that the bill be indefinitely postponed.

Mr. E. followed his motion by a brief statement of the reasons which placed him in opposition to the bill; considering it as tending to do more harm to the community than good; as creating a privileged class in society; as opening a door to much fraud; and, so far as it would operate retrospectively, as a doubtful power, &c.

Mr. MELLER followed in reply to Mr. E. and in defence of the bill, as to its expediency, its entire constitutionality, its beneficial effects on society, and great present necessity.

Mr. TRIMBLE intimated that, though he should vote against the present motion, he should not conceive himself committed on the bill, as it was very possible he might finally be against its passage.

Mr. BURRILL rose in defence of the bill; and went into a general examination of the system, to establish its advantages, the many evils it would prevent and cure, the good it would do in society, and the distress it would alleviate.

The question was then taken on the motion to postpone the bill indefinitely, and decided, in the negative—by yeas 14, and nays 25.—Adjourned.

MARCH 17.

The motion of the 18th inst. for an enquiry into the expediency of placing buoys placed at the several inlets, and on some of the shoals on the coast of North Carolina, was considered and agreed to.

The two following written messages were received from the President of the United States, by Mr. Monroe, his secretary:—

To the Senate of the United States:

I transmit to Congress a report from the Secretary of the treasury, accompanied with statements of the annual expenditures made in the construction of the road leading from Cumberland, in Maryland, to the state of Ohio, from the year 1806 to the year 1820.

JAMES MONROE.

Washington, March 17, 1820.

The following message was also received from the President of the United States, by Mr. Monroe:—

To the Senate of the United States:

It being stipulated by the fourth article of the agreement, and cession entered into on the 24th of April, 1802, with the state of Georgia, that the United States should, at their own expense, extinguish for the use of that state, as soon as it might be done, on reasonable terms, the Indian title to all lands within its limits; and the Legislature of Georgia, being desirous of making a further acquisition of said lands, at this time, presuming that it may be done on reasonable terms; and it being also represented, that property of considerable value, which had been taken by the Creek and Cherokee Indians from citizens of Georgia, the restoration of which had been provided for by different treaties, but which has never been made, it is proposed to hold a treaty with those nations, and more particularly with the Creeks, in the course of this summer, for the attainment of these objects, I submit the subject to the consideration of Congress, that a sum adequate to the expense attending such treaty may be appropriated should Congress deem it expedient.

JAMES MONROE.

Washington, March 17, 1820

The message was read

The memorial of Wm. Patterson and Sons, of Baltimore was presented by Mr. Pinkney, praying indemnification for losses sustained by the depre-

dations of French cruisers, and that provision may be made for the payment of all such claims, in consideration of their having been relinquished by the convention of Sept. 30, 1890, for certain great political advantages in favor of the U. S. The memorial was read.

Mr. Otis submitted the following motion for consideration—

Resolved—That the president of the Senate and the Speaker of the House of Representatives do adjourn their respective Houses on Monday the 10th of April next.

#### BANKRUPT BILL.

The Senate resumed, as in committee of the whole, Mr. KING, of Alabama, in the chair, the consideration of this bill, and proceeded with the details thereof, and having made one or two minor amendments—

Mr. EATON, moved to strike out of the 5th section the clause which provides, that when the commissioners "shall think that there is reason to apprehend that a bankrupt intends to abscond or conceal himself or herself, and in case it be necessary, in order to take the body of the said bankrupt, they shall have power to cause the doors of the dwelling house of such bankrupt to be broken, or the doors of any other house in which he or she shall be found."

The amendment was supported by Mr. Eaton, and Mr. Logan, on the ground, principally, of its repugnance to the constitution, which declares that no person shall be subject to unreasonable searches, &c. unsupported by oath or affirmation.

The motion was opposed by Messrs Burrill, Otis, Mellen, and Lanman, for the reasons, chiefly, that the power given in the clause was vital to the system, and was essentially necessary to its execution; that the power forcibly to enter houses and seize persons was permitted by law for many offences greatly inferior to the crime provided for in this clause; that in this case it was to be under a warrant; that honest bankrupts would never fly from their creditors; and that it would be the dishonest and fraudulent only who would seek to conceal themselves.

Mr. VAN DYKE, suggested to the mover the propriety of dividing the question on the two branches of the clause, so as to be taken separately on the authority of breaking the bankrupts own house, and the house of another person—to which suggestion Mr. EATON acceded.

Mr. HUNTER was glad the gentleman from Tennessee had called the attention of the Senate to this clause of the bill, as it was a feature that would certainly be, in this country, inconsistent with the rights of the citizen; it would undoubtedly be a violation of the 4th article of the constitution to leave such a power at the entire discretion of a commissioner; but the defect of the clause, Mr. H. said, was merely a verbal omission; and, should certain words be inserted, the provision would be made to comport strictly with every part of the 4th article of the constitution. He moved, therefore, to obviate the objections to the clause, to insert therein the words of the constitution which had been referred to.

Mr. OTIS had no objection to the amendment although he did not conceive it necessary. The bill permitted a person to be declared a bankrupt only under oath, &c. but he might reply, also that in referring to the constitution it ought to be taken altogether; and in giving to congress the power to enact a bankrupt law, it was it was to be presumed

that the framers of the constitution intended to convey the power of making it efficient. It was reasonable to suppose, also, that when the provision was inserted in the constitution, its framers had in view not a bankrupt system of France or of Germany, but the system of England, upon which system this bill was framed.

The question was then taken on amending the clause as moved by Mr. HUNTER, and agreed to, *nem. con.* by inserting after the word "the" the following words of the constitution; "on probable cause, supported by oath or affirmation, by warrant," to cause the doors, &c.

Mr. VANDYKE observed, that, however proper it might be to enter forcibly the House of the bankrupt himself; yet it was not, he conceived, proper for the House of a third person to be subject to such violence, without notice, at least. He therefore moved to insert in the clause the words "after notice and demand, and refusal of entrance by the owner, or occupier;" which motion was agreed to without objection.

On motion of Mr. LANMAN the word "adjudge" was substituted for the word "think" in the same clause of the bill, quoted above.

Mr. WILSON moved to strike out the 25th section of the bill, which is in the following words: "That the said commissioners shall have power to examine, upon oath or affirmation, the wife of any person lawfully declared a bankrupt, for the discovery of such part of his estate as may be concealed or disposed of by such wife, or by any other person; and the said wife shall incur such penalties for not appearing before the said commissioners, or refusing to be sworn or affirm, or examined, and to subscribe her examination, or for not disclosing the truth, as by this act is provided against any other person in like cases."

Mr. W. in making this motion, observed, in substance, that it would be wrong, in his opinion, to adopt any legislative provision which should have the effect to light up the torch of discord in the domestic relations of life; that the unfortunate wife would feel enough under these circumstances of her family, without being subject to the inquisition proposed in the section. The husband, too, would have enough to torture his mind without the reflection that his wife was to be dragged forward and possibly imprisoned for two years, on a charge of collusion, &c. Mr. W. conceived it morally wrong that the wife should, in any case, be required to testify against her husband, or children against their parents.

Mr. PINKNEY said, the section violated all the best charities of life, without being of any use in the system. If a wife was sworn, could they expect the truth? No—they might expect perjury to stain her lips. It was one of the most sacred maxims of law that a wife should not give evidence against her husband. What would be criminal in another, in her is innocence. Mr. P. referred to a remarkable instance of the truth of this principle—the case of Lavalette. When his wife enabled him to escape from prison, disguised in her clothes, and she remained in prison to answer for the deed, she was not only acquitted by the universal opinion of the world, but also by the law of France; it was honorable to the law of France that it was so. He hoped the section would be expunged.

The motion was agreed to without objection.

On motion of Mr. DICKENSON the third section was modified in relation to the compensation of the commissioners and their clerk, and their compen-



sation fixed at five dollars a day each, while acting, to be paid out of the bankrupt's estate.

Mr. LLOYD moved to strike out the following section, being the 28th of the bill: "That, if any person shall become bankrupt, and at such time, by consent of the owner, have in his or her possession and disposition any goods, whereof he or she shall be reputed owner, and take upon him or herself the sole alteration, or disposition thereof, as owner, the commissioners shall have power to assign the same for the benefit of the creditors, as fully as any other part of the estate of the bankrupt."

A good deal of discussion took place on this motion, between Messrs. Lloyd, Burrill, Macon, Otis, Wilson, Eaton, and Lanman, respecting the construction which it would admit, that which it had received under the old law its general operation &c. The section was finally modified on motion of Mr. Lanman, to read, "by the collusive consent of the owner, &c."

Mr. DICKERSON then moved to strike from the 49th section the following clause: "And if such action [against a commissioner for any thing done under this act] be brought in any State Court, the same may, at any time before issue joined, be removed into the circuit court of the United States, in the same manner, and under the same regulations and with the same effects to all intents and purposes, as suits brought in a State court against an alien or against a citizen of a state other than that where the suit is brought, may now by law be removed."

After some conversation on the subject between Messrs. Dickerson and Pinkney, in which the latter gentleman opposed the motion—it was withdrawn by the mover.

Mr. LOWRIE renewed the motion to strike out this clause, whereupon, a debate of considerable duration ensued, in which the motion was advocated by Messrs. Lowrie, Van Dyke, and Smith, and was opposed by Messrs. Otis, Lanman, and Mellen; and was, finally, agreed to by a division—ayes 17, noes 9.

Mr. DICKERSON, next moved to add the following provision to the bill, as a separate section:

And be it further enacted, That this act shall continue and be in force for the space of five years from the passing thereof and from thence to the end of the next session of Congress, and no longer.

Mr. D. offered a few remarks in support of this proposition to limit the duration of the present act and the motion was agreed to nem con.

Mr. PINKNEY, intimated that he should take an opportunity to offer an amendment to that provision, which requires the consent of two-thirds of the creditors in number and amount, to the discharge of a bankrupt.

Agreeably to notice given, Mr. Ruggles asked and obtained leave to bring in a bill granting to the State of Ohio, the right of pre-emption to certain sections of land, which was read and passed to a third reading. Adjourned to Monday.

#### HOUSE OF REPRESENTATIVES.

WEDNESDAY, MARCH 11.

The Speaker laid before the House a letter from the War Department, transmitting statements of the sums which have been actually paid since the Peace Establishment, to the General Officers and their staff, specifying particularly on what account, to whom, and when, paid—rendered in obedience to a resolution of this House.

On motion of Mr. HOOKS, the committee of Commerce were instructed to enquire into the expediency of having buoys placed on certain parts of the

Coast and Inlets of the state of North Carolina, to direct vessels into the different channels.

On motion of Mr. SHAW, it was

Resolved, That the Secretary of the Navy be directed to lay before this House the amount of money received under the act providing for the deduction of two per cent. from the sale of prizes captured by private armed vessels, and condemned under the laws of the United States, for the benefit of the disabled officers and seamen of such private armed vessels. Also, the number of invalids, together with the amount of their pensions charged upon that fund, as well as the amount paid to the widows and children of such officers and seamen, slain in such service, and the amount of the balance, if any, remaining in the hands of the treasurer of the above fund, unapplied.

Mr. SLOCUM moved to proceed to the consideration of the resolution offered by him, for fixing a period for the termination of the present session: and the motion to take it up was negatived.

The three private bills noticed as having passed the Senate yesterday, were twice read and committed.

The engrossed bill making appropriations for the support of the Military Establishment during the year 1820, was read a third time, passed, and sent to the Senate.

The remainder of the day was spent in committee of the whole on the appropriation bill for the payment of the Civil List.

Considerable discussion took place on some of the items of the bill; particularly on that, appropriating the salary of a thousand dollars to the reporter of the decisions of the Supreme Court. A motion to strike out that clause failed by a large majority; when the committee rose, reported progress, and obtained leave to sit again.—Adjourned.

MARCH 13.

On motion of Mr. PINDALL, the House proceeded to the consideration of the motion submitted by him some weeks ago, for amending the rules of the House, so as to oblige the stenographers admitted within the walls to be under oath, &c.

This proposition, we understand was supported by Mr. Pindall and Mr. Gannon, and was opposed by Messrs. Smith of Md. Simkins, Warfield, and Walker.

On the question to agree thereto, it was decided in the negative, without a division. So the motion was rejected.

#### MISSOURI EXPEDITION.

The House then again proceeded to the consideration of the bill making appropriations for the support of the Military Establishment for the year 1820.

And the question being on filling the blank for the Quarter-master's Department—the house having on Saturday refused to fill it with 500,000 dollars—

Mr. COCKE moved to fill it with 400,000; thus reducing it a hundred thousand, with a view of arresting the Missouri Expedition.

Mr. TRIMBLE moved to fill it with 480,000. He intimated his opinion, that, after what had passed indicative of the views of this House, and particularly under the present aspect of our foreign relations, the Expedition would be restricted to the Council Bluffs. But, even in retracing its steps, &c. certain expenses must be incurred, to the same amount, or very nearly, as if the Executive had gone on.

When the following gentlemen supported and opposed the prosecution of the Expedition.

Affirmative.—Messrs. Holmes, Strother, Brown, Ford, Gross, of N. Y. Cook, Nelson, and Rhea.

Negative.—Messrs. Southard, Floyd, Johnson, Cocke, Foot, Storrs.

Mr. HOLMES had moved to fill the blank with 495,000 dollars; being, in effect, a proposition to retain the appropriation for the prosecution of the Missouri Expedition to its ultimate objects.

At the close of the Debate, the question on this proposition was decided by yeas and nays, by the following vote:—For that sum, 77—against it, 88.

On Mr. TRIMBLE's motion, the vote was:—For his motion, 77—against it, 84.

On the motion of Mr. CORN, to fill the blank with 450,000 dollars, (predicated on the maintenance of the Expedition at the Council Bluffs,) the question was not taken by yeas and nays, but decided affirmatively, by a large majority.—Adjourned.

[On the 14 and 15th the consideration of the bill making appropriations for the military establishment for 1820, engaged the attention of the house in examining its various items in detail.]

#### MARCH 16

Mr. BEECHER, from the committee on the judiciary, reported "a bill to authorise the Secretary of State to cause the laws of the Michigan territory to be printed and distributed;" which was twice read and committed.

On motion of Mr. ERTX, the committee on the District of Columbia were instructed to inquire into the expediency of so far altering the law of selling real estate for taxes in the said District, as to allow to minors the right of the equity for redemption, two years after they shall have attained to the age of twenty one years, by complying with the conditions now required by law.

Mr. FOOT submitted the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of repealing or amending the act "to regulate and fix the compensation of the Clerks in the different offices," passed April 20, 1818.

The resolution was, on motion, so amended as to direct the inquiry therein proposed, to be made by a select committee, instead of the committee of ways and means.

And the question being taken on agreeing to the said resolution, as amended—it was determined in the negative. So the motion was rejected.

The remainder of the day was occupied in Debate on the Civil Appropriation Bill; and chiefly on the clause which proposes an appropriation of 100,000 dollars "for completing the contracts for constructing the road from Washington, Pennsylvania, to Wheeling, made during the year 1817."

On this there was an animated debate; Mr. SLOCUMB having moved to strike it out of the bill. The objections to it were, principally, 1. To the power of Congress to construct roads at all; and, 2. To the nature of the contracts, some of which it was suggested had originated in collusion and fraud. This question has been, in substance, discussed so much at large for several successive years, that we have not thought it necessary to report the debate at large. After deciding the question on Mr. Slocumb's motion in the negative, the committee rose; and the House adjourned.

#### FRIDAY MARCH 17

Mr. ROBERTSON, submitted the following joint resolution for consideration:

Resolved, By the Senate and House of Representatives, &c. That the consent of congress be and the same is hereby given to a contract or agree-

ment made and concluded by and between the States of Kentucky and Tennessee, at Frankfort, in Kentucky, on the 2d day of February 1820, to adjust and establish the boundary line between them.

The resolve was read twice, and ordered to lie on the table.

The engrossed bill to authorise the Secretary of State to cause the laws of the Michigan Territory to be printed and distributed, was read a third time, passed, and sent to the Senate.

The House again resolved itself into a committee of the whole, Mr. Beecher in the chair, on the appropriation bill for defraying the Civil Expenses of the government.

Mr. CORN renewed the motion which he made the other day on another bill, but then withdrew, to insert in the bill an appropriation of thirty thousand dollars for negotiating a Treaty with the Creek and Cherokee Indians, for the extinguishment of their title to certain lands in the state of Georgia.

The motion was supported by Mr. Cobb at considerable length, and Mr. Cutbert and Mr. Abbot, all of Georgia. Messrs. Rhea, Livermore, and Campbell also engaged in the debate.

The motion was agreed to by a large majority.

In the progress of the bill, a motion was made to strike out of the appropriation for the expenses of the commission under the 5th article of the Treaty of Ghent, so much as provides a compensation for an agent under that treaty; and, after a short debate, the motion was agreed to without a division.

Mr. WOODBRIDGE moved to amend the bill by introducing an appropriation of twenty thousand dollars, to defray the expenses of extinguishing the Indian title to land in the Territory of Michigan.

The motion was supported by Mr. Woodbridge and Mr. Ross, and was agreed to without a division.

The bill was then reported to the House with sundry amendments; and the question presented itself on concurring in certain of the amendments. Some discussion took place on several of them.

On the question to concur with the committee of the whole in filling the blank for the appropriation of 100,000 dollars, to be applied to the payment for contracts made in the year 1817 for making the great Cumberland road, the yeas and nays were taken, and stood as follows:—For the appropriation, 90—Against it 65. So the appropriation was concurred in.

Objection was made to the appropriation of 6,000 dollars for paying to Mr. Trumbull the 3d payment on account of his contract for four National Paintings; on the delivery of the second of which, now nearly completed, this money will be payable to him. The principal objection to the appropriation was, that the money is not yet due. The appropriation passed, in the end, by 76 yeas to 54, and the bill was ordered to be engrossed for a third reading. Adjourned.

#### SATURDAY, MARCH 18.

An engrossed bill making appropriations for the support of government for 1820, was read a third time and passed.

The bill making appropriations for continuing the work on the centre building of the Capitol, was read a second time, and ordered to be engrossed for a third reading on Monday next.

REVOLUTIONARY PENSIONS.—The House resolved itself into a committee of the whole, Mr. BEECHER in the chair, on the bill to amend the act of March 18, 1818, providing pensions for persons

engaged in the land and naval service in the Revolutionary war.

Mr. BLOOMFIELD rose, and, after stating the contemplated effect of this bill, entered into a particular history of the progress of the act of 1818 through the two Houses, the different features it assumed, and its ultimate shape, compared with the bill originally reported by the committee, of which he was chairman, to shew that that committee are innocent of having produced the embarrassments which had grown out of that act. To try the question whether the House was willing to repeal the existing act, he concluded by moving to strike out the first section of the bill.

Mr. CANNON moved to amend the section, by striking out all that part of the first section which allows to officers higher pensions than what is allowed to privates. It would be perceived, Mr. C. said, that the object of this amendment was to place the officers of the revolutionary army, on the same footing as the soldiers of the revolutionary army. He had no wish to repeal the act, but this bill contained a principle—that of discrimination—which he could not reconcile to his mind; any other mode would be better than this—they were all citizens and were all entitled, in an act of bounty, to an equal quantum of relief, and to enforce this opinion Mr. C. argued at some length. Mr. C. however, waived his motion to give way for an amendment, which Mr. BARBOUR, intimated his intention to offer, which embraced what Mr. C. had in view.

[The amendment here submitted by Mr. BARBOUR was, in fact, a new bill.]

Mr. BARBOUR explained to the committee the substantial object of his amendment. The first object, as would be seen by the first section, was to repeal the law, as to all those who had served for a term less than three years, after they shall have received their pensions for two years, and to continue pensions, for life, to all those who had served three years and upwards, to officers and soldiers an equal sum, after they also shall have received two years pension according to the act of 1818. Mr. B. then proceeded to state, a good deal at large, the inducements which operated on him in voting for the act of 1818. He had voted for that law under the best feelings. He was willing to do an act of benevolence; and, he had been influenced, he confessed, not a little by the impressive language of his honorable friend from New Jersey, (Mr. Bloomfield) who had himself been a conspicuous actor in the scenes of the revolution, and who had introduced and advocated the bill of 1818; but, in giving his sanction to that act of benevolence, Mr. B. had no idea that it would produce so vast a consumption of the public resources. According to the report of the committee of 1818, it was expected that the maximum of the pensions to be allowed, would be about 200,000 dollars; but what was the fact? It was now found that they exceeded that amount by about fifteen times. Mr. B. was then, and was yet, willing to perform towards the soldiers of the revolution an act of benevolence, but not at a cost which the nation was not prepared to pay.

As to the proposed repeal being inconsistent with the honor of the nation, or, as was said, inconsistent, with a vested right, Mr. B. observed, he was not among those who would do any thing that was inconsistent with either, and yet he was prepared to vote for a very considerable modification of the law. He argued that the pensions granted could

not be deemed a vested right—that, the act was one of gratuitous bounty—not of justice; because, had it been demanded by justice, it could have known no distinction; that, being an act of charity, it continued at the option of the government; and this opinion Mr. B. illustrated by various arguments. In voting for this modification, he did no violence to the benevolence which dictated the first act, because a man was not bound to extend charity to the injury of his own family. To continue the act unmodified would be injurious and unjust to a large portion of the people of this nation, as it would be necessary to raise the amount required by it, by laying taxes, either directly or indirectly; and he wished that the state of the Treasury might not be such as to coerce the House into the imposition of direct taxes. Let the committee, Mr. B. said, cast a look over the country, and see if there were not thousands and tens of thousands on whom the tax would fall, who were as poor, and infinitely poorer, than thousands of those pensioners for whom the tax would be laid, &c.

Mr. B. again adverted to the details of his amendment. He had singled out those who had served three years and upwards, because it was they who bore the heat and brunt of the war—of the campaigns of '77, '78, and '79—in the fields of Monmouth, of Princeton, of Red Bank, of Brandywine, &c. A great part of the nine and twelve months' men, were substitutes, and in addition to their pay from their country, received pay as substitutes—in many cases, he had understood, they were double substitutes—serving successive tours as such. Mr. B. thought all who continued to receive pensions, ought to be put on an equal footing; the sum allowed, he would make sufficient to provide for them food and clothing—further than this, it was utterly impossible for the government to go. In fixing the allowance, the comfortable subsistence of the individuals was all that could be provided for—he could not think of taking their families into view, or entering into considerations of former affluence, &c. To provide relief with such views, or to that extent, would be beyond the ability of the nation to pay, without resorting to the means before alluded to—of laying taxes on the people, &c. In support of the opinions which he advanced in the course of his remarks, Mr. B. entered into a number of arguments and illustrations which, in this brief notice, cannot be presented.

Mr. CULLEPPEN was willing to strike out the first section of the bill, not, however to accept the substitute offered by Mr. BARBOUR, but to agree to the best provisions to guard against imposition. He wished the act, in other respects, to stand as it was—he would not strike off one cent of what these men were justly entitled to by the existing act. Mr. C. said, he knew what it was to be a soldier, himself, and to serve, when a morsel of bread was a luxury. Many, however, took the benefit of this act who were not entitled to it, and he would do every thing to guard against that abuse, but further he would not go. He was against reducing the officer to the level of the soldier. Their habits were different, Mr. C. said, and their talents and their wants—the officer was of more value to the country, and it would be a bad example, and injurious hereafter to the interest of the nation to put them on the same footing. He thought the distinction made in the act was a good one, and he would not consent to change it.

Mr. ANDERSON, of Kentucky, avowed himself de-



cidedly opposed to the repeal of the law, and consequently against Mr. Barbour's amendment, but he would support every proposition tending to give the act a fair and strict construction; and he would therefore take those parts of Mr. B's amendments which went to that object. Mr. A. said he was afraid he might have been wrong in voting for the act of '18, but he was sure he should be right in voting against its repeal. The bounty had been freely offered and continued two years, and, whether right or wrong, originally, he would not withdraw it. He was also opposed to the levelling principle. That feature he had been in favor of when the act was under consideration; but Congress then determined against it—the distinction between officers and privates had existed two years, and he was averse now to disturbing it. Mr. A. said, the bounty had been voluntarily offered by Congress—the soldiers of the Revolution had been invited to come forward and receive his boon, at the hands of a grateful country—and would it be generous or becoming, because it was found to take more money than was expected, now to revoke the bounty? Mr. A. thought not, and spoke at some length in support of his opinions. He concluded by saying that if the law was defective, or not sufficiently guarded, he would give it additional safe guards; but he would not repeal it, or so modify it as to reduce the allowance of an officer from 240 dollars to 96 dollars.

The committee then rose, obtained leave to sit again—adjourned.

MONDAY, MARCH 20.

This morning two bills were reported; one to authorise an extension of the period for the enlistment of U. S. seamen, and another (by Mr. Pindall) for limiting the publication of the United States' laws to twenty-five newspapers only, and one in this district.

Mr. SPOONER, from the committee on roads and canals, reported a bill authorizing tolls to be collected at proper places on the Cumberland road. On the second reading of this bill Mr. Barbour moved to reject it; he was seconded by Mr. Randolph, and opposed, by Messrs. Hardin, Livermore, and B. Smith. It was finally decided by YEAS 47—NAYS 111. The bill was then read a second time, and ordered to be engrossed for a third reading.

The bill making appropriations for continuing the work on the centre Building of the Capital was passed and sent to the Senate.

The remainder of the day was occupied in debating the bill for amending the pension law, and the proposition of Mr. Barbour to substitute for it a different bill. Messrs. Reid, Hill, Fuller, Trimble, Barbour, Livermore, and Bloomfield, engaged in the bill; among whom Messrs. Hill, Fuller, and Livermore, earnestly opposed any invasion of the principle of the present Pension law, though willing to make any necessary amendment to its details. Mr. Fuller spoke on the subject considerably at large.

Before coming to any decision on the subject, the committee rose and reported progress—Adjourned.

**AN ACT** making appropriations for the support of the Navy of the United States, for the year one thousand eight hundred and twenty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for defraying the expenses of the Navy, for the year one thousand eight hundred and twenty, the following sums be, and the same are hereby, respectively appropriated:

For pay and subsistence of the officers, and pay of the seamen, nine hundred and eighty-nine thousand three hundred and twenty dollars:—For the provisions, four hundred and fifteen thousand one hundred and eighty seven dollars:—For medicines, hospital stores, and all expences on account of the sick, including the marine corps, thirty-six thousand dollars:—For repairs of vessels, four hundred and eighty-four thousand dollars:—For store rent, freight, transportation, enlistment of seamen, and all other contingent expences, two hundred and forty thousand dollars:—For improvement of navy yards, docks, and wharves, pay of superintendents, store keepers, clerks, and laborers, one hundred thousand dollars:—For payment of contracts made for shells and shot, and for military stores, fifty thousand dollars:—For pay and subsistence of the marine corps, one hundred and seventy-seven thousand two hundred and twenty-eight dollars:—For clothing the same, twenty-seven thousand two hundred and five dollars:—For contingent expences of the same, twenty thousand dollars:—For military stores, one thousand dollars.

Sec. 1. And be it further enacted, That the several appropriations, herein-before made, shall be paid out of any money in the Treasury, not otherwise appropriated.

Washington, March 17, 1820.—Approved:

JAMES MONROE.

STATE OF THE BANK OF THE UNITED STATES, State of the Bank of the United States, 30th September, 1819, abstracted from the Report of the Secretary of the Treasury to Congress.

Funds on hand, viz.		
Faulted debt of the United States,	7,232,501 34	
Specie,	3,234,479 91	
Foreign Bills of exchange,	138,470 66	
Amount of cash Funds,		10,605,451 91
Notes of other Banks,	1,133,023 85	
Balances due by other banks,	2,648,860 63	
Real estate and permanent expences and bouns,	4,093,784 51	
Amount of Bills and Notes discounted, viz:		2,780,922 81
On personal security,	21,225,138 59	
On funded debt of U. S.	225,024 00	
On Bank stock, &c.	7,937,515 83	
	29,392,698 39	
On Domestic Bills of Exchange	1,375,087 85	30,767,785 23
Funds in course of transmission from one Branch to another,		166,976 85
Deficiency of cash at Baltimore Branch due by the late Cashier,		140,454 74
		\$45,606,016 81
Debts due by the Bank, viz.		
To State Banks,		675,918 30
For deposits, to government,	1,097,163 33	
to public officers	1,765,800 81	
to individuals,		2,802,065 14
For unpaid dividends,		2,631,451 76
For Notes in circulation,		33,814 60
Due to Baring & Co. and T. Wilson & Co.	142,040 03	3,810,111 40
Do. on account of damage on bills of exchange	43,154 20	
	185,450 23	
Off. due by Baring & Co. on account of bills for J. Richards,	94,844 37	60,585 86
For Bills of Exchange, received of S. Smith and Buchanan		37,355 55
		\$10,142,103 01
Surplus, after paying all debts due by the Bank,		35,463,913 24
Capital paid in,		34,793,628 03
Net surplus or profit,		1,670,285 21

## Congressional Documents.

### NATIONAL CURRENCY, &c.

Report of the Secretary of the Treasury, in obedience to a resolution of the House of Representatives of 1st March, 1819, transmitting statements in relation to the condition of the Bank of the United States and its Offices; also statements in relation to the situation of the different Chartered Banks, in the different states, and the District of Columbia, &c.

(CONTINUED FROM PAGE 176.)

An immediate depression in the price of all commodities would be the inevitable consequence of an unqualified return to a metallic currency, upon the supposition that the quantity of gold and silver annually produced, should remain undiminished. But, if this return to a metallic currency should be attempted at a period when the annual product of these metals, either from temporary or permanent causes, should have considerably decreased, all the great interests of society would be most seriously disordered: property of every description would rapidly fall in value; the relations between creditor and debtor would be violently and suddenly changed.

This change would be greatly to the injury of the debtor; the property, which would be necessary to discharge his debts, would exceed that which he had received from his creditor; the one would be ruined without the imputation of crime, whilst the other would be enriched without the semblance of merit. Until the engagements existing at the moment of such a change are discharged, and the price of labor and of commodities is reduced to the proportion which it must bear to the quantity of currency employed as the medium of their exchange, enterprise of every kind will be repressed, and misery and distress universally prevail. When this shall be effected, the relations of society, founded upon a new basis, will be equitable and just, and tend to promote and secure the general prosperity.

Such, it is contended by the advocates of a paper currency, are the circumstances under which the principal states of Europe are endeavoring to return to a metallic currency. For a century past, the currency of those states has been greatly increased by the employment of paper, founded, it is true, originally upon a metallic basis. During the last twenty years, this paper has ceased to be convertible into specie; and, as no systematic effort has been made to prevent excessive issues, it has become redundant, and, consequently, depreciated. Notwithstanding this depreciation, the productions of those countries, it is believed, have more rapidly increased, than those of countries where a metallic currency has been preserved. The first efforts that are seriously made by those states to retain a metallic currency, will be the repression of enterprise of every description among themselves. It will be foreseen that the currency must appreciate, and that all other articles must depreciate in value. The effects of this appreciation of money will be first manifested in those states, by the fall of the price of all articles which cannot be exported. In the progress of these measures, the price of the exportable articles will also be affected, by the reduction in the currency employed in effecting their exchange. It is even probable that the quantity of exchangeable articles will be diminished. Whilst the appreciation of the

currency is perceptibly advancing, the manufacturer will not hazard his capital in producing articles the price of which is rapidly declining. The merchant will abstain from purchasing, under the apprehension of a further reduction of price, and of the difficulty of re-vending at a profit. It is even probable that the interest of money will fall, whilst the cry of a scarcity of money will be incessant. Under such circumstances, loans will not be required, except to meet debts of immediate urgency, none will be demanded for the prosecution of enterprises by which the productive energies of the community will be increased.

As the measures which have been adopted by England, and several of the continental states of Europe, for returning to a metallic currency, advance, the interest of those states, which have adhered to it, will be affected. Whilst gold and silver were, in the former states, dispensed with as coin, they were sought for merely as commodities. The quantity necessary for their manufactures was readily obtained, without deranging, in any serious degree, the currency of other states.

It has been estimated, that, from eighty to one hundred and twenty millions of dollars were necessary to England. Taking the mean sum, and admitting that the other European states engaged in the same effort require an equal amount, a supply of two hundred millions of dollars is necessary. The commencement of the measures necessary to obtain that portion of this sum which cannot, in a short time, be drawn from the annual product of the mines, may not be immediately felt by other states. But, when these measures approach their completion; when a large quantity of gold and silver is necessarily withdrawn from the currency of other states, the price of specie will, in the latter, appreciate, and the price of all commodities will decline. All the evils incident to an appreciating currency will be felt in those states, though in a less degree than where a paper currency had been adopted. The example presented by the return to a metallic currency in France, even in the midst of a revolution, which probably had some influence upon the decision of this question by other states, is believed to be, in no degree, analogous in its principal circumstances. At the present period that this change was operating, England, and the principal continental states, abandoned the precious metals as currency. The supply demanded by France was not only at hand, but was seeking the very employment which that change had made indispensable. At the same time, immense sums were brought into France by her conquering armies, which, being raised by military contributions, had, in some degree, rendered a resort to paper currency, in the invaded states, necessary. At present the civilized world is at peace, and each state is endeavoring, by systematic measures, to secure to itself a just participation of the benefits of equal and reciprocal commerce. The states which are now attempting to return to a metallic currency, will find much greater difficulty in effecting this change than was experienced by France.

The demand for gold and silver, as the medium of exchange, cannot be supplied until the price of all exchangeable articles has fallen in proportion to the reduction of the currency, which the abandonment of paper must produce. It is even probable, as has been before suggested, that, after the price of commodities and of labor shall have fallen, so as to bear a just proportion to the currency which is to be employed in effecting the necessary ex-



changes, that the currency will continue gradually to appreciate. This, however, is matter conjecture. It depends entirely upon the fact, whether the annual produce of the mines, after furnishing the quantity necessary for the consumption of the precious metals in manufactures, will be equal to the increased demand for currency, arising from the increase of exchangeable commodities throughout the world. The great advancement in the arts and sciences—the rapid improvement in machinery, which characterise the present age, acting through a long succession of ages, cannot fail to augment, in an astonishing degree, all the products of human industry.

It may, however, be urged, that the same improvements will augment, in an equal degree, the product of the mines; and that therefore, the quantity of the precious metals in the world will continue to bear, to other commodities, the same relation which they may assume when the return to a metallic currency is effected. This may be true; but, so far as it depends upon the general principle, that the supply of all articles is regulated by the demand, there is reasonable ground of doubt. The maxim, although good as a general rule, admits of exceptions. A demand beyond the supply increases the price of the thing demanded, and invites to the investment of additional capital in its production. But when the article demanded is to be produced from a material, which no investment of capital, no application of skill, can augment, the only effect of such investment and application is to produce the most which the material has the capacity to furnish. Such, in fact, is the case of gold and silver. The material from which they are made, is limited in quantity which neither capital nor skill can augment. It is probable that the improvements in machinery, and the art of refining, will be counterbalanced by the exhaustion of the mines, or the difficulty of working them, arising from the depth and extent of their excavations. It is therefore possible, that the demand for the precious metals, for currency, and for manufactures, may exceed the production of the mines.

Previously to entering upon the immediate discussion of the practicability of substituting a paper for a metallic currency, it is proper to observe, that gold and silver derive part of the uniformity of value which has been ascribed to them, from the general consent of civilized states to employ them as the standard of value. Should they cease to be used for that purpose, they would become more variable in their value, and would be regulated, like all other articles, by the demand for them, compared with the supply in any given market. It is presumed, that, if they should cease to be employed as the standard of value by several states, their uniformity of value would be in some degree affected, not only in those states where they were considered as mere commodities, but in those where they were still employed as currency.

Whenever, as commodities, they should rise in value, a drain would take place from the currency of other states; and when they should fall in value, as commodities, they would seek employment as currency, and render in some degree redundant the currency of the states where they are employed. After making due allowance for the depreciation of bank notes in England, from the time of the bank restriction, in 1797, to the present period, the price of gold and silver in that country is believed to have varied more than at any former period. Their price, when compared with bank notes, from the

year 1797 to 1808, showed but a slight degree of depreciation; considerably less, in all human probability, than actually existed. During that interval, the demand for those metals was limited in England to the sum required for manufactures. It is highly probable, that, if the quantity of the paper circulation had been reduced to the amount of the currency in circulation at the time, or for one year before the restriction, the price of bullion would have been below the mint price. On the contrary, in the year 1808, when the employment of a British force in Spain created a sudden demand for specie, the depreciation of bank notes, indicated by the price of bullion, was probably greater than that which really existed. In the year 1814, after the treaty of Paris, the price of bullion, estimated in bank paper, was not above the mint price; whilst, in the succeeding year, it rose to more than twenty per cent. above that price: the amount of bank notes in circulation at the former exceeding, in a small degree that of the latter period. It is impossible that these variations in the price of gold and silver, in the short space of one year, can be entirely chargeable to the depreciation of bank notes. The effect which these variations, in a great commercial state, where the precious metals were considered only as commodities, were calculated to produce upon the currency of the neighboring states, has not been ascertained. The convulsions to which most of these states were subject during that period may account for the want of sufficient data to elucidate the subject. It is, however, highly improbable that these fluctuations were not sensibly felt by them.

Having considered the nature and extent of the variations in value, to which a metallic currency is necessarily subject, it remains to examine, whether it is practicable to devise a system by which a paper currency may be employed as the standard of value, with sufficient security against variations in its value, and with the same certainty of its recovering that value, when, from any cause, such variations shall have been produced. It is distinctly admitted that no such paper currency has ever existed. Where the experiment has been made directly by government, excessive issues have quickly ensued, and depreciation has been the immediate consequence. Where the experiment has been attempted through the agency of banks, it has invariably failed. In both cases, instead of being used as a mean of supplying a cheap and stable currency, invariably regulated by the demand, for effecting the exchanges required by the wants and convenience of society, it has been employed as a financial resource, or made the instrument of unstrained cupidity. In no case has any attempt been made to determine the principles upon which such a currency, to be stable, must be founded. Instead of salutary restraints being imposed upon the mania institutions which have been employed, the vital principal of whose being is pain, they have not simply been left to the guidance of their own cupidity, but have been stimulated to excessive issues, to supply deficiencies in the public revenue. This is known to have been the case in an eminent degree, in the experiment which has been attended with most success. The issues of the Bank of England, on account of the government, were frequently so great as to destroy the demand for discounts by individuals. In consequence of these excessive issues, the interest of money fell below five per cent. the rate at which the bank discounted: the demand for discounts at the bank therefore ceased.

It is, indeed, not surprising that no systematic effort has been made to restrain excessive issues. In the case of banks the experiments which have been made were intended to be temporary; they were the result of great and sudden pressure, which left but little leisure for the examination of a subject so abstruse. The employment of a paper circulation, convertible into specie, the favorite system of modern states, having, as has been attempted to be shown in a previous part of this report, the inevitable tendency to produce the necessity of resorting in every national emergency to paper, not so convertible, imposes upon those, who are called to administer the affairs of nations, the duty of thoroughly examining the subject, with a view, if practicable, to avoid that necessity. If the examination does not result in the establishment of a paper currency, unconnected with specie, it may lead to the imposition of salutary checks against excessive issues, when the necessity of suspending payment may occur.

(To be Continued)

The following interesting Documents were presented to the House of Representatives by the chairman of the committee of Foreign Relations:

THE SECRETARY OF STATE TO MR. LOWNDES.

William Lowndes, Esq. chairman  
of the committee of Foreign Relations:

Department of State, Dec. 16, 1819.

SIR—With reference to the question proposed by the committee, "whether the Executive considers the Florida Treaty as a subsisting one, valid according to national law, and giving the same perfect rights and imposing the same perfect obligations, as if it had been ratified." I have the honor to state that the President considers the Treaty of the 22d of February last, as obligatory upon the honor and good faith of Spain, not as a perfect treaty, (ratification being an essential formality to that,) but as a compact which Spain was bound to ratify—as an adjustment in the differences between the two nations, which the King of Spain, by his full power to his Minister, had solemnly promised to approve, ratify and fulfil. This adjustment is assumed as the measure of what the United States had a right to obtain from Spain from the signature of the Treaty. The principle may be illustrated by reference to rules of municipal law relative to transactions between individuals. The difference between the Treaty as ratified and ratified, may be likened to the difference between a covenant to convey lands, and the deed of conveyance itself. Upon a breach of the covenant to convey, courts of equity decree that the party who has broken his covenant shall convey, and, further, shall make good to the other party all damages which he has sustained from the breach of contract.

As there is no court of chancery between nations, their differences can be settled only by agreement, or by force. The resort to force is justifiable only when justice cannot be obtained by negotiation. And the resort to force is limited to the attainment of justice. The wrong received marks the boundaries of the right to be obtained.

The King of Spain was bound to ratify the treaty; bound by the principles of the law of nations applicable to the case; and further bound by the solemn promise in the full power. He refusing to perform this promise and obligation, the United States have a perfect right to do what a court of

chancery would do in a transaction of a similar character between individuals; namely, to compel the performance of the engagement as far as compulsion can accomplish it, and to indemnify themselves for all the damages and charges incident to the necessity of using compulsion. They cannot compel the King of Spain to sign the act of ratification, and therefore cannot make the instrument a perfect treaty. But they can, and are justifiable in so doing, take that which the treaty, if perfect, would have bound Spain to deliver up to them; and they are further entitled to indemnity for all the expences and damages which they may sustain by consequence of the refusal of Spain to ratify. The refusal to ratify gives them the same right to do justice to themselves as the refusal to fulfil would have given them, if Spain had ratified, and then ordered the governor of Florida not to deliver over the province.

By considering the Treaty as the term beyond which the United States will not look back, in their controversial relations with Spain, they not only will manifest a continued respect for the sanctity of their own engagements, but they avoid the inconvenience of re-entering upon a field of mutual complaint and crimination, so extensive that it would be scarcely possible to decide where or when negotiation should cease, or at what point force should be stayed for satisfied right; and, by resorting to force only so far as the Treaty had acknowledged their right, they offer an inducement to Spain to complete the transaction on her part, without proceeding to general hostility. But Spain must be responsible to the United States for every wrong done by her, after the signature of the Treaty by her Minister; and the refusal to ratify his act is the first wrong for which they are entitled to redress.

I have the honor to be, with great respect, sir,  
your very humble and obedient servant

JOHN QUINCY ADAMS.

*The Secretary of State to Mr. Lowndes.*

DEPARTMENT OF STATE,  
21st December, 1819.

William Lowndes, esq. Chairman  
of the committee of Foreign Relations.

SIR: In answer to the questions contained in your letter of the 10th inst. I have the honor to state, for the information of the committee;

1st. That information has been received by the Government of the United States, though not through a direct channel, nor in authentic form, that another motive besides those alleged in the letter of the Duke of San Fernando to Mr. Forsyth, did operate upon the Spanish cabinet, to induce the withholding of the ratification of the treaty, namely, the apprehension that the ratification would be immediately followed by the recognition by the United States of the independence of one or more of the South American provinces. It has been suggested, that probably the most important of the explanations which the Minister to be sent by Spain, will be instructed to ask, will consist of an explicit declaration of the intentions of this government in that respect. There is reason also to believe, that the impunity with which privateers, fitted out, manned, and officered, in one or more of our ports, have committed hostilities upon the Spanish commerce, will be alleged among the reasons for delay, and perhaps some pledge may be required of the effectual execution against these practices, of laws, which appear to exist in the Statute Book.

It may be proper to remark that, during the negotiation of the Florida treaty, repeated and very earnest efforts were made, both by Mr. Pizarro, at Madrid, and by Mr. Onís here, to obtain from the Government of the United States either a positive stipulation or a tacit promise, that the United States would not recognise any of the South American revolutionary governments; and that the Spanish negotiators were distinctly and explicitly informed that this Government would not assent to any such engagement, either express or implied.

2. By all the information which has been obtained of the prospective views of the French and Russian governments, in relation to the course which it was by them thought probable would be pursued by the United States, it is apparent that they strongly apprehended the immediate forcible occupation of Florida by the U. States, on the non ratification by Spain of the treaty, within the stipulated time. France and Russia both have most earnestly dissuaded us from that course, not by any regular official communication, but by informal friendly advice; deprecating immediate hostility, on account of its tendency to kindle a general war, which they fear would be the consequence of a war between the United States and Spain. It was alleged that, in the present state of our controversy with Spain, the opinion of all Europe on the point at issue was in our favor and against her. That by exercising patience a little longer, by waiting at least to hear the Minister, who was announced as coming to give and receive explanations, we could not fail of obtaining ultimately, without resort to force, the right to which it was admitted we were entitled. But that precipitate measures of violence might not only provoke Spain to war, but would change the state of the question between us; would exhibit us to the world as the aggressors, and would induce against us those now the most decided in our favor.

It is not expected that in the event of a war with Spain any European power will openly take a part in it against the U. States; but there is no doubt that the principal reliance of Spain will be upon the employment of privateers in France and England, as well as in the East and West India Seas, and upon our own coast, under the Spanish flag, but manned from all nations, including citizens of our own, expatriated into Spanish subjects for the purpose.

3. The enclosed copies of letters from Mr. Fromentin, contain the most particular information possessed by the Executive with regard to the subjects mentioned in your third enquiry. In the month of September, a corps of 3,000 men arrived at the Havana, from Spain, one third of whom are said to have already fallen victims to the diseases of that climate. By advices from the Havana, as recent as the 4th of this month, we are assured that no part of this force is intended to be in any event employed in Florida.

4. A communication from the Secretary of War, also herewith enclosed, contains the information requested by the committee upon this enquiry.

5. At the time when Capt. Read left Madrid 13th October, Mr. Forsyth had no positive information even of the appointment of the person who is to come out as the Minister. Indirectly we have been assured that he might be expected to arrive here in the course of the present month.

I am, with great respect, sir, your very ob't servant

JOHN QUINCY ADAMS.

### THE GUNPOWDER LOAN.

Letter from the Secretary of War, transmitting, (pursuant to a resolution of the House of Representatives, of the 24th ultimo.) information in relation to a loan of gunpowder, made to the firm of Stull and Williams, merchants, of Georgetown, in the District of Columbia.

Department of War, 28th Feb. 1820.

SIR—Pursuant to a resolution of the House of Representatives, of the 24th inst. directing the Secretary for the Department of War to communicate to the House copies of any arrangement which may have been made with the firm of Stull and Williams, or their surety or sureties, relative to the loan to the said Stull and Williams, of powder, by the War Department, or the repayment thereof; and also to inform this House whether any moneys, and what sums, have been advanced to the said Stull and Williams, or to their surety or sureties, or any contract or contracts, made with them, or either of them, relative thereto, and also to state the fund from which said advances have been made; I have the honor to transmit herewith a report of the Colonel of Ordnance, which furnishes the information required. I have the honor to be your obedient servant,

J. C. CALHOUN.

The Hon. Henry Clay,

Speaker of the House of Representatives.

Ordnance Office, Feb. 28, 1820.

The Hon. J. C. Calhoun,

SIR—In reference to the inquiry of the House of Representatives, as contained in their resolution of the 24th inst. I have the honor to state:

That the paper marked A is a copy of the contract concluded with Daniel Bussard, of Georgetown, on the 1st August, 1818, relating to the loan or sale of powder, which had been previously made to Stull and Williams.

To form a just estimate of this contract, the circumstances of the case, at the time it was made, ought to be taken into view.

The original proposition from Stull and Williams was to obtain a loan of 600 barrels of musket powder, to be guaranteed by Daniel Bussard. A copy of the proposal and guarantee is contained in the paper marked B.

By a subsequent agreement, which does not appear to have been reduced to writing, the loan was converted into a sale, and a bill of exchange given, at 90 days date, by J. C. Williams, on his partner, John J. Stull, for \$21,600, being the value of the powder at the rate of 36 cents a pound. A copy of the bill of exchange is annexed. See paper B.

The bill of exchange, which had been duly



accepted, was finally protested for non-payment when it became due.

Another agreement, likewise verbal, was then made, to accept in kind the six hundred barrels of powder; and two hundred barrels, part thereof, were returned. See paper B.

Stull and Williams having made an assignment of property for the benefit of creditors, and being reputed insolvent, Daniel Bussard remained the only responsible person in the concern. As his engagement was originally no more than to guarantee a loan of six hundred barrels of powder to Stull and Williams, strong doubts were entertained whether converting the loan into a sale did not abrogate his engagement. It became important, therefore, to obtain from him the best security he could give to guard against a final loss.

He represented that, with the aid of an advance of money from government to enable him to rebuild his powder works, which had been destroyed by an explosion, he would undertake to return the balance of powder due from Stull and Williams, and to repay the advances in other powder, at 25 cents a pound; securing the amount of the advances on real property. This proposal, which forms the basis of the contract of 1st August, 1818, was accepted. The advance, amounting to ten thousand dollars, was taken from the funds appropriated for the Ordnance service.

This course, it is believed, was the most eligible that could have been taken in the circumstances; at any rate, it is not to be deemed an act of choice on the part of the agents of government, but as the result of a desire to obtain the best security the nature of the case would admit. I have the honor to be &c.

DECIUS WADSWORTH,

Colonel of Ordnance.

A

Articles of Agreement made and concluded at the City of Washington, on this 1st day of August, A. D. 1818, between Decius Wadsworth, colonel of Ordnance, with the approbation and consent of the Hon. John C. Calhoun, Secretary of War, of the one part, and Daniel Bussard, of Georgetown, in the District of Columbia, of the other part, witnesseth—

That, whereas Messrs. Stull and Williams, of Georgetown, merchants, did, on the 25th day of May, 1815, borrow from the magazines of the United States, six hundred barrels of gunpowder, containing altogether 60,000 lbs. on the condition, of returning an equal quantity of serviceable gunpowder, when thereunto required; for the performance of which condition, the said Daniel Bussard made himself responsible; and whereas there is now due, and owing, from the said Stull and Williams, to the said Daniel Bussard, to

the United States, on account of the aforesaid loan, the quantity of 39,572 lbs. of gunpowder. Now the said Daniel Bussard, doth agree to manufacture and deliver to the U. States, within three years from this date, 39,572 lbs. of good serviceable gunpowder; one fourth of which to be of a quality and grain suitable for small arms, and the remainder of a quality suitable for cannon; the whole to be duly proved and inspected according to law; and to be packed in good sound casks full trimmed, at the expense of the said Daniel Bussard, which shall be received on the part of the United States in full satisfaction of the original agreement of the said Stull and Williams, and the said Daniel Bussard.

It is also further agreed, that the said Daniel Bussard shall manufacture, and deliver to the United States, a further quantity of gunpowder, not exceeding 40,000 pounds, within three years from this date; the said powder, last mentioned, to be packed in good casks, full trimmed, and to be in the proportions for small arms and cannon, and in quality as before stated, for which, he shall be allowed twenty-five cents per pound, money of the United States. The price of the casks to be charged to the United States.

It is further agreed, that an advance shall be made to the said Daniel Bussard, not exceeding ten thousand dollars, to enable him to erect works on Paint Creek, suitable for manufacturing gunpowder, and to purchase, and lay in materials; the said advances to be made by the Secretary of War, it being fully understood, that a sum, not less than five thousand dollars, shall be expended on the works at Paint Creek, and in providing materials for manufacturing gunpowder.

It is further agreed, that the said Daniel Bussard shall give security for the faithful performance of the said contract, by a conveyance, or by conveyances in trust, to Thos. Mustine, of Georgetown, of so much of his real estate as may be deemed sufficient for that purpose, with a power to sell the same in case of his failure to perform faithfully the said contract.

It being further understood, that parts of the said property shall from time to time be released from the incumbrance, as the said contract shall in part be fulfilled, so as to justify such release.

In witness whereof, the parties have hereunto set their hands and seals the day and year first above named.

DANIEL BUSSARD,

DECIUS WADSWORTH,

Witnesses present— Col of Ordnance.  
Thomas G. Ringgold, William Riddall.

B.

Georgetown, May 25, 1815.

SIR—Having occasion for a quantity of musket powder, not exceeding six hundred barrels, we wish to borrow it, to be returned when required, for which loan we give you the security below. We are, yours, &c.

WILLIAMS &amp; STULL.

Lieut. Col. Bomford.

Georgetown, May 25, 1815.

For the true performance of the above loan of gunpowder, not exceeding six hundred barrels, we pledge ourselves to return it when demanded, at \_\_\_\_\_ to the order of Lieut. Col. George Bomford, of the Ordnance Department, Washington. The quantity in each barrel to contain one hundred weight of proof powder.

J. S. WILLIAMS,

J. I. STULL,

DAN'L BUZZARD.

Witness—Hon. Jones.

Georgetown, June 23, 1815.

\$ 600

Ninety days after date pay to the order of John C. Williams, twenty-one thousand six hundred dollars, which place to accounts of \_\_\_\_\_ Your obedient servant,

J. S. WILLIAMS.

[Endorsed]

J. C. WILLIAMS.

John I. Stull, Esq. Georgetown, D. C.

Received from Williams & Stull, for the use of the Ordnance Department, Greenleaf's Point,

1815, April 25—200 lbs. mealed powder	2	certific'd
do	28 lbs. sulphur	3 issued.
June 15—50 lbs pulverised salt petre,	do.	
July 24—100 lbs do.	do.	
Aug. 5—100 lbs. mealed powder,		
1816, Oct. 25—100 barrels cannon powder.		
Dec. 3—100 barrels do	do	

The above are the articles entered on the company books, as received from Williams & Stull.

I. S. NELSON,

Capt. U. S. Ord. Commanding.

## FOURTH CENSUS.

AN ACT to provide for taking the fourth census, or enumeration of the inhabitants of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the marshals of the several districts of United States, and of the District of Columbia and of the Territories of the Missouri, Michigan, and Arkansas, respectively, shall be, and they are hereby, authorized and required, under the direction of the Secretary of State, and according to such instructions as he shall give, pursuant to this act, to cause the number of the inhabitants within their respective districts and territories to be taken, omitting, in such enumeration, Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all others; distinguishing,

also the sexes and colors of free persons, and the free males under ten years of age; those of ten years and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and, also, distinguishing free females under ten years of age; those of ten and under sixteen; those of sixteen and under twenty-six; those of twenty-six and under forty-five; and those of forty-five and upwards; and also distinguishing the number of persons engaged in agriculture, commerce, and manufactures, respectively. For effecting which the marshals aforesaid shall have power, and they are hereby, respectively, authorized and required to appoint one or more assistants in each county and city, in their respective districts and territories residents of the county and city for which they shall be appointed, and shall assign a certain division to each of the said assistants, which division shall not consist of more than one county or city, but may include one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads, or other monuments. And the said enumeration shall be made by an actual inquiry at every dwelling house or of the head of every family, and not otherwise. The marshals and their assistants shall, respectively, take an oath or affirmation before some judge or justice of the peace, resident within their respective districts or territories, before they enter on the duties required by this act. The oath or affirmation of the marshal shall be as follows: I, A. B. marshal of the district of \_\_\_\_\_ do solemnly swear, (or affirm,) that I will well and truly cause to be made a just and perfect enumeration and description of all persons resident within my district (or territory,) and also an account of the manufactures, except household manufactures, and return the same to the Secretary of State, agreeably to the directions of an act of Congress, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," according to the best of my ability. The oath or affirmation of an assistant shall be: I, A. B. do solemnly swear, (or affirm,) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of \_\_\_\_\_ and also an account of the manufactures, except household manufactures, and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," according to the best of my abilities. The enumeration shall commence on the first Monday of August in the year one thousand eight hundred and twenty, and shall close within six calendar months, thereafter. The several assistants shall, within the said six months, transmit to the marshals, by whom they shall respectively be appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions; which returns shall be made in a schedule, distinguished in each county, city, town, township, ward, or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal person therein, in the manner following: The number of persons within my division, consisting of \_\_\_\_\_, appears in a schedule hereto annexed, sub-

scribed by me this — day of —, in the year one thousand eight hundred and twenty. A. B. assistant to the marshal of —

Schedule of the whole number of persons within the division allotted to A. B.

Name of the county, parish, township, town, or city, where the family resides.
Names of heads of families.
Free white males under 10 years.
Free white males of 10 and under 15.
Free white males between 16 and 18.
Free white males of 16 and under 26, including heads of families.
Free white males of 26, and under 45, including heads of families.
Free white males of 45, and upwards, including heads of families.
Free white females under 10 years of age.
Free white females of ten, and under 16.
Free white females of 16, and under 26, including heads of families.
Free white females of 26, and under 45, including heads of families.
Free white females of 45, and upwards, including heads of families.
Foreigners not naturalized.

#### SLAVES.

Males under 14.
Males of 14, and under 26.
Males of 26, and under 45.
Males of 45, and upwards.
Females of 14.
Females of 14, and under 26.
Females of 26, and under 45.
Females of 45, and upwards.

#### FREE COLORED PERSONS.

Males under 14 years.
Males of 14 and under 26.
Males of 26, and under 45.
Males of 45, and upwards.
Females under 14 years.
Females of 14, and under 26.
Females of 26, and under 45.
Females of 45, and upwards.
All other persons, except Indians not taxed.

Sec. 2. And be it further enacted, That every assistant, failing or neglecting to make a proper return, or making a false return, of the enumeration to the marshal, within the time limited by this act, shall forfeit the sum of two hundred dollars, recoverable in the manner pointed out in the next section of this act.

Sec. 3. And be it further enacted, That the marshals shall file the several returns aforesaid, and; also, an attested copy of the aggregate amount hereinafter directed, to be transmitted by them, respectively, to the Secretary of State, with the clerk of their respective districts, or superior courts, (as the case may be,) who are hereby directed to receive, and carefully to preserve the same. And the marshals respectively, shall, on or

before the first day of April, in the year one thousand eight hundred and twenty-one, transmit to the Secretary of State the aggregate amount of each description of persons within their respective districts or territories. And every marshal failing to file the returns of his assistants, or the returns of any of them, with the clerks of the respective courts as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the Secretary of State, within the time limited by this act, shall, for every such offence, forfeit the sum of one thousand dollars; which forfeitures shall be recoverable in the courts of the districts or territories where the said offences shall be committed; or within the circuit courts held within the same, by action of debt, information, or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And, for the more effectual discovery of such offences, the Judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States as aforesaid, at their next session, to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed, to the Secretary of State, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount, to be laid before them for their inspection.

Sec. 4. And be it further enacted, That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons; but where, from the dispersed situation of the inhabitants in some divisions, one dollar will be insufficient for one hundred persons, the marshals, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation; Provided, The same does not exceed one dollar and twenty five cents for every fifty persons by them returned; Provided, further, That before any assistant, as aforesaid, shall be entitled to receive said compensation, he shall take and subscribe the following oath or affirmation, before some judge or justice of the peace, authorized to administer the same to wit:—I, A. B. do solemnly swear or affirm, that the number of persons set forth in the return made by me, agreeably to the provisions of the act, entitled "An act to provide for taking the fourth census or enumeration of the inhabitants of the United States, and for other purposes," have been ascertained by an actual inquiry at every dwelling house, or of the head of every family in exact conformity with the provisions of said act; and that I have, in every respect, fulfilled the duties required of me by said act, to the best of my abilities, and that the return aforesaid is correct and true, according to the best of my knowledge and belief.—The several marshals shall receive as follows: The Marshal of the District of Maine, two hun-



dred and fifty dollars; the Marshal of the District of New-Hampshire, two hundred and fifty dollars; the marshal of the District of Massachusetts, three hundred dollars; the marshal of the District of Rhode-Island, one hundred and fifty dollars; the marshal of the District of Connecticut, two hundred dollars; the marshal of the District of Vermont, two hundred and fifty dollars; the marshal of the southern districts of New-York, two hundred and fifty dollars; the marshal of the northern district of New-York, two hundred and fifty dollars; the marshal of the district of New-Jersey, two hundred dollars; the marshal of the eastern district of Pennsylvania, three hundred dollars; the marshal of the western district of Pennsylvania, two hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the eastern district of Virginia, three hundred dollars; the marshal of the western district of Virginia, two hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina, three hundred and fifty dollars; the marshal of the District of South Carolina, three hundred dollars; the marshal of the district of Georgia, three hundred dollars; the marshal of the district of east Tennessee, one hundred and fifty dollars; the marshal of the district of west Tennessee, one hundred and fifty dollars; the marshal of the district of Ohio, three hundred dollars; the marshal of the district of Indiana, two hundred dollars; the marshal of the district of Illinois, one hundred and fifty dollars; the marshal of the district of Mississippi, one hundred and fifty dollars; the marshal of the district of Louisiana, one hundred and fifty dollars; the marshal of the district of Alabama, one hundred and fifty dollars; the marshal of the district of Columbia, fifty dollars; the marshal of the Missouri territory, one hundred dollars; the marshal of the Michigan territory, one hundred dollars; the marshal of the Arkansas territory, one hundred dollars.

Sec. 5. And be it further enacted, That every person whose usual place of abode shall be in any family, on the said first Monday in August, one thousand eight hundred and twenty, shall be returned as of such family, and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in the division where he or she shall be on the said first Monday in August: and every person occasionally absent at the time of enumeration, as belonging to the place in which he or she usually resides in the U. States.

Sec. 6. And be it further enacted, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or territory, made or established within the United States, shall be, and hereby is, obliged to render to the assistant of the division, if required, a true account to the best of his or her knowledge, of every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in an action of debt, by such assistant; one half to his own use, and the other half to the use of the United States.

Sec. 7. And be it further enacted, That each and

every assistant, previous to making his return to the marshal, shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned for each of which copies, the said assistant shall be entitled to receive two dollars; Provided proof of the schedule having been set up and suffered to remain shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, as aforesaid, he shall forfeit the compensation allowed him by this act.

Sec. 8. And be it further enacted, That the Secretary of state shall be, and hereby is, authorized and required, to transmit to the marshals of the several districts and territories, regulations and instructions pursuant to this act, for carrying the same into effect, and also the forms contained therein, of the schedule, to be returned, and such other forms as may be necessary in carrying this act into execution, and proper interrogatories to be administered by the several persons to be employed in taking the enumeration.

Sec. 9. And be it further enacted, That in those states composing two districts, and where part of a county may lie in each district, such county shall be considered as belonging to that district in which the court house of said county may be situate.

Sec. 10. And be it further enacted, That it shall be the duty of the several marshals and their assistants, at the time for taking the said census, to take, under the direction of the Secretary of State, and according to such instructions as he shall give, and such forms as he shall prescribe, an account of the several manufacturing establishments, and their manufactures, within their several districts, territories, and divisions: the said assistants shall make return of the same to the marshals of their respective districts or territories; and the said marshals shall transmit the said returns, and abstracts thereof, to the Secretary of State at the same time at which they are, by this act, required, respectively, to make their returns to the Secretary of State: for the performance of which additional service, they shall, respectively, receive, as compensation therefor, not exceeding twenty per centum in addition to the sums allowed by this act, to be apportioned in proportion to the services rendered, under the direction of the Secretary of State.

Sec. 11. And be it further enacted, That in all cases where the superficial content of any county or parish shall exceed forty miles square, and the number of inhabitants in said parish or county shall not exceed two thousand five hundred, the marshal or assistants shall be allowed, with the approbation of the judges of the respective districts or territories, such further compensation as shall be deemed reasonable; Provided, the same does not exceed three dollars for every fifty persons by them returned.

Sec. 12. And be it further enacted, That when the aforesaid enumeration, shall be completed, and returned to the office of the Secretary of State by the marshals of the states and territories, he shall direct the printers to Congress, to print, for the use of the Congress, fifteen hundred copies thereof.

H. CLAY.

Speaker of the House of Representatives.

JOHN GAILLARD,

President of the Senate, pro tempore.

Washington, March 14, 1820.—Approved:

JAMES MONROE

## INFORMATION FOR EMIGRANTS.

Accession Dec. 12

The benevolent efforts made by M. Maurice de Faistenwaerter to relieve the distresses of the German emigrants to the United States are well known. The following is the letter addressed him on this subject, by Mr. John Quincy Adams, in the name of the American government:

Washington, June, 14, 1819.

"Sir—I have had the honor of receiving your letter of the 22d of April, with the enclosure of the Baron de Gagerin, your relative, and a copy of your printed report: I hope, and indeed entertain no doubt, that the latter may be of great utility to such of your countrymen as may have formed erroneous ideas with regard to emigration from Europe to this country. It has been clearly shown to you, that you have accurately seized the idea in your report, that the government of the United States have never taken any steps to invite or encourage emigrants to come from any part of Europe to America: It has never held out any inducements to draw to this country the subjects of a foreign state. Motives of humanity have sometimes determined it to offer certain facilities to some emigrants who may have arrived here with the intention of establishing themselves here, and who had need of particular assistance for executing their intention. Neither the government of the Union, nor the different States that compose it, disdain the increase of strength and prosperity which the nation might receive from a mass of new inhabitants, healthful, laborious, and temperate; nor are they more indifferent to the great advantages which this country has derived, and is still deriving, from the encourse of adopted children coming from Germany; but there is one principle on which all the institutions of this republic are founded, and which is a permanent object, to granting favours to new comers. This is not a country of privileges, but of an equality of rights. The sovereigns of Europe grant to certain classes of individuals certain privileges, which have some object of political utility; but it is the general opinion here, that privileges granted to one class of people are necessarily an injury to some other.

"Emigrants from Germany, or from any other country, have not on arriving here any favour to expect from the governments; but in case they should desire to become citizens of the State, they may flatter themselves they will enjoy the same rights as the natives of the country. If they possess property they may reckon upon finding the means of increasing it with moderation, but with certainty; if they are poor, but laborious, honest, and know how to be satisfied with a little, they will succeed in gaining enough to support themselves and their families; they will pass an independent, but a laborious and painful life, and if they cannot accommodate themselves to the moral, political, and physical state of this country, the Atlantic Ocean will always be open to them to return to their native countries. They must bend their characters to necessity, or they will assuredly fail as Americans in all their schemes of fortune; they must throw off, as it were, their European skin, never more to resume it; they must direct their thoughts rather forward towards their posterity, than behind them to their ancestors; they must persuade themselves that whatever may be their own sentiments, those of their children will assuredly approach more to the habits of the country, and will catch something of the haughtiness,

perhaps a little contemptuousness, which they have themselves remarked with surprise in the general character of this people, and perhaps still more particularly in the individuals of German origin who are born in this country.

"This sentiment of superiority over all other nations, which never leaves them, and which has been so very displeasing to foreigners who have visited our shores, proceeds from the opinion entertained by each individual, that in quality of a member of society there is no person in this country superior to him. Proud of this feeling, he regards with some haughtiness those nations among whom the mass of the people are regarded as subordinate to certain privileged classes, and where men are great or insignificant by the hazard of their birth. But from this it also happens, that no government in the world has so little means of bestowing favor as that of the United States. The governments are the servants of the people, and they are regarded as such by the people, who create and depose them.

"They are elected to administer the public affairs for a short space of time, and when the people are not satisfied with them, they cease to maintain them in their functions. But if the means of the government to do good are limited, the means of doing ill are limited also. Dependence here in the affairs of government is precisely in the inverse ratio of what takes place in Europe. The people here do not depend upon those that govern them; but the latter, as such, depend constantly upon the good will of the people.

"We know very well that of the quantity of foreigners who every year come to our country to fix their abode, none of them come from taste, or from any regard to a country to which they are totally strangers, and of which the Germans do not understand even the language. We know that they come here not for our advantage, out of their own; not to labour for our prosperity, but to ameliorate their own condition. Thus we expect to see very few individuals of Europe who enjoy in their own country ease, happiness, or even any gratification, come and settle in America. Those who are happy and contented remain at home, and it requires a principle of motion not less powerful than want to remove a man from his native country, and the place where the tombs of his ancestors are placed. Of the small number of emigrants of fortune who endeavored to settle in our country, a considerable portion were dissatisfied with our singular customs, and after a certain residence returned home. There are certainly some exceptions; and in the most opulent and distinguished class of our fellow citizens we have the good fortune to count some individuals who would have acquired fortune and distinctions, even had they not passed into a new country, and another portion of the world. We should feel great satisfaction in seeing yourself among this number, and that it would accord with your dispositions and sentiments.

"I have the honor to be, Sir, &c.

"JOHN QUINCY ADAMS."

## POSTSCRIPT.

THE DUEL.—On the morning of the 22d inst. a duel was fought between com. Deatur, one of the board of navy commissioners, and com. Barron, near Eidsburg. Com. Reinbridge acted as second to the former and Capt. J. D. Elliot to the latter. The distance chosen was only eight paces. At the first fire they both wounded com. Deatur mortally (and survived only till ten o'clock in the evening, after he received the ball of a musket-shot through the abdomen) and com. Barron severely on the hip. The cause of quarrel we are not distinctly informed of.